



House of Representatives

General Assembly

File No. 142

February Session, 2002

House Bill No. 5613

House of Representatives, March 25, 2002

The Committee on General Law reported through REP. FOX of the 144th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING ANTIQUE SLOT MACHINES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 53-278a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2002*):

3 As used in sections 53-278a to 53-278g, inclusive, as amended:

4 (1) "Gain" means the direct realization of winnings; "profit" means
5 any other realized or unrealized benefit, direct or indirect, including
6 without limitation benefits from proprietorship, management or
7 unequal advantage in a series of transactions;

8 (2) "Gambling" means risking any money, credit, deposit or other
9 thing of value for gain contingent in whole or in part upon lot, chance
10 or the operation of a gambling device, but does not include: Legal
11 contests of skill, speed, strength or endurance in which awards are
12 made only to entrants or the owners of entries; legal business
13 transactions which are valid under the law of contracts; activity legal

14 under the provisions of sections 7-169 to 7-186l, inclusive; any lottery
15 or contest conducted by or under the authority of any state of the
16 United States, Commonwealth of Puerto Rico or any possession or
17 territory of the United States; and other acts or transactions expressly
18 authorized by law on or after October 1, 1973;

19 (3) "Professional gambling" means accepting or offering to accept,
20 for profit, money, credits, deposits or other things of value risked in
21 gambling, or any claim thereon or interest therein. Without limiting
22 the generality of this definition, the following shall be included: Pool-
23 selling and bookmaking; maintaining slot machines, one-ball machines
24 or variants thereof, pinball machines, which award anything other
25 than an immediate and unrecorded right of replay, roulette wheels,
26 dice tables, or money or merchandise pushcards, punchboards, jars or
27 spindles, in any place accessible to the public; and except as provided
28 in sections 7-169 to 7-186l, inclusive, conducting lotteries, gift
29 enterprises, disposal or sale of property by lottery or hazard or policy
30 or numbers games, or selling chances therein; and the following shall
31 be presumed to be included: Conducting any banking game played
32 with cards, dice or counters, or accepting any fixed share of the stakes
33 therein;

34 (4) "Gambling device" means any device or mechanism by the
35 operation of which a right to money, credits, deposits or other things
36 of value may be created, as the result of the operation of an element of
37 chance; any device or mechanism which, when operated for a
38 consideration, does not return the same value or thing of value for the
39 same consideration upon each operation thereof; any device,
40 mechanism, furniture or fixture designed primarily for use in
41 connection with professional gambling; and any subassembly or
42 essential part designed or intended for use in connection with any
43 such device, mechanism, furniture, fixture, construction or installation,
44 provided an immediate and unrecorded right of replay mechanically
45 conferred on players of pinball machines and similar amusement
46 devices shall be presumed to be without value. "Gambling device"
47 does not include a crane game machine or device, [or] a redemption

48 machine or an antique slot machine;

49 (5) "Gambling record" means any record, receipt, ticket, certificate,
50 token, slip or notation given, made, used or intended to be used in
51 connection with professional gambling;

52 (6) "Gambling information" means a communication with respect to
53 any wager made in the course of, and any information intended to be
54 used for, professional gambling. Information as to wagers, betting
55 odds or changes in betting odds shall be presumed to be intended for
56 use in professional gambling;

57 (7) "Gambling premise" means any building, room, enclosure,
58 vehicle, vessel or other place, whether open or enclosed, used or
59 intended to be used for professional gambling. Any place where a
60 gambling device is found shall be presumed to be intended to be used
61 for professional gambling, except a place wherein a bazaar or raffle for
62 which a permit has been issued under sections 7-170 to 7-186,
63 inclusive, or bingo for which a permit has been issued under section 7-
64 169 or games of chance for which a permit has been issued under
65 sections 7-186a to 7-186l, inclusive, is to be conducted;

66 (8) "Person" includes natural persons, partnerships, limited liability
67 companies and associations of persons, and corporations; and any
68 corporate officer, director or stockholder who authorizes, participates
69 in or knowingly accepts benefits from any violation of sections 53-278a
70 to 53-278g, inclusive, as amended, committed by [his] such corporate
71 officer's, director's or stockholder's corporation;

72 (9) "Peace officer" means a municipal or state police officer or chief
73 inspector or inspector in the Division of Criminal Justice or state
74 marshal while exercising authority granted under any provision of the
75 general statutes or judicial marshal in the performance of the duties of
76 a judicial marshal;

77 (10) "Court" means the Superior Court;

78 (11) "Crane game machine or device" means a machine or device (A)

79 that is designed and manufactured only for bona fide amusement
80 purposes and involves at least some skill in its operation, (B) that
81 rewards a winning player exclusively with merchandise contained
82 within the machine or device and such merchandise is limited to
83 noncash prizes, toys or novelties each of which has a wholesale value
84 not exceeding ten dollars or ten times the cost of playing the machine
85 or device, whichever is less, (C) the player of which is able to control
86 the timing of the use of the claw or grasping device to attempt to pick
87 up or grasp a prize, toy or novelty, (D) the player of which is made
88 aware of any time restrictions that the machine or device imposes on
89 the player to maneuver the claw or grasping device into a position to
90 attempt to pick up or grasp a prize, toy or novelty, and (E) the claw or
91 grasping device of which is not of a size, design or shape that prohibits
92 the picking up or grasping of a prize, toy or novelty contained within
93 the machine or device;

94 (12) "Redemption machine" means an amusement device operated
95 by one or more players that involves a game the object of which is
96 throwing, rolling, bowling, shooting, placing or propelling a ball or
97 other object into, upon or against a hole or other target and that
98 rewards the player or players with tickets, tokens or other noncash
99 representations of value redeemable for merchandise prizes, provided
100 (A) the outcome of the game is predominantly determined by the skill
101 of the player, (B) the award of tickets, tokens or other noncash
102 representations of value is based solely on the player's achieving the
103 object of the game or on the player's score, (C) only merchandise prizes
104 are awarded, (D) the average wholesale value of the prizes awarded in
105 lieu of tickets or tokens for a single play of the machine does not
106 exceed ten dollars or ten times the cost of a single play of the machine,
107 whichever is less, and (E) the redemption value of each ticket, token or
108 other noncash representation of value that may be accumulated by a
109 player or players to redeem prizes of greater value does not exceed the
110 cost of a single play of the machine;

111 (13) "Antique slot machine" means a coin-operated, nonelectronic
112 mechanical gambling device that pays off according to the matching of

113 symbols on wheels and was manufactured in its entirety, except for
114 identical replacement parts, prior to January 1, 1972.

This act shall take effect as follows:	
Section 1	<i>October 1, 2002</i>

GL *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	FY 03 \$
GF – Potential Revenue Impact	Spec. Revenue, Div. of	See Below

Note: GF=General Fund

Municipal Impact:

Effect	Municipalities	FY 03 \$
Potential Revenue Impact	Various Municipalities	See Below

Explanation

The bill legalizes the possession of slot machines manufactured prior to 1972. It is uncertain if the bill would violate the agreements between the state and the Machantucket Pequot Tribe (Foxwoods Resort and Casino) and the Mohegan Tribe (Mohegan Sun Casino) concerning the tribe's exclusive right to operate of video facsimiles (slot machines). In return for the exclusive right to operate video facsimiles each tribe contributes 25% of its gross operating revenues from video facsimiles.

The state is expected to receive approximately \$376 million in FY 02 and \$390 million in FY 03 from the two tribes. Municipalities receive \$135 million per year of the amount the state receives.

OLR Bill Analysis

HB 5613

AN ACT CONCERNING ANTIQUE SLOT MACHINES**SUMMARY:**

This bill eliminates the prohibition against owning, manufacturing, possessing, buying, selling, renting, leasing, storing, repairing, or transporting antique slot machines. It defines "antique slot machine" as a coin-operated, non-electronic mechanical gambling device that (1) pays according to matching symbols on wheels and (2) was manufactured, except for replacement parts, before January 1, 1972.

EFFECTIVE DATE: October 1, 2002

BACKGROUND***Tribal-State Agreements***

The agreements between the state and the Mashantucket Pequot Tribe and the Mohegan Tribe define "video facsimile" in a way that is similar to the definition of antique slot machine. A "video facsimile" is

"any mechanical, electrical, or other device, contrivance, or machine, which, upon insertion of a coin, currency, token or similar object therein, or upon payment of any consideration whatsoever, is available to play or operate, the play or operation of which is a facsimile of a game of chance, and which may deliver or entitle the person playing or operating the machine to receive cash or tokens to be exchanged for cash...."

In the agreements, each tribe agrees to contribute to the state 25% of its gross operating revenue from video facsimiles "so long as no change in State law is enacted to permit the operation of video facsimiles by any other person and no other person within the State lawfully operates video facsimiles...."

COMMITTEE ACTION

General Law Committee

Joint Favorable Report
Yea 17 Nay 0